

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:07CR3005
v.)	
)	
RICHARD FLEMING,)	
)	MEMORANDUM AND ORDER
Defendant.)	
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Following a conference with counsel in this case in accordance with Rule 17.1 of the Federal Rules of Criminal Procedure,

IT IS ORDERED:

1. An evidentiary hearing on defendant's motion to suppress evidence, filing 34, will be held before the undersigned on November 6, 2007 beginning at 9:00 a.m. in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. The court has set aside three hours for this hearing.

2. The defendant, defendant's counsel, and counsel for the government shall be present at this hearing.

3. Pursuant to NECrimR 12.5, copies of all exhibits expected to be offered into evidence during the hearing, except those to be used for impeachment only, shall be delivered to the chambers of the undersigned at least twenty-four (24) hours before the hearing and, at the outset of the hearing, to the extent reasonably possible, the parties shall provide the undersigned and the courtroom deputy with a written list of all witnesses the parties expect to call.

4. Trial is set for 9:00 a.m., February 25, 2008 for a duration of 15 trial days, as a backup to United States v. Wentworth, 4:06cr3172, before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

DATED this 21st day of September, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge